

TITLE 67- NEBRASKA ~~CIVIL DEFENSE~~-EMERGENCY MANAGEMENT AGENCY- ADDITIONAL FACILITIES SUBJECT TO EMERGENCY PLANNING REQUIREMENTS

CHAPTER 1- DEFINITIONS

001 Definitions only apply to this title and do not apply to any other part of the State Disaster and ~~Civil Defense~~ Emergency Management Act.

001.01 Additional Facility – The term Additional Facility shall mean all buildings, equipment, structures, and other stationary and non-stationary items that may be located anywhere in the State of Nebraska and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with, such person), are not already designated as facilities under Section 302 of SARA Title III as codified in 40 CFR 355.20, which under the State of Nebraska designates as a facility pursuant to its authority under 40 CFR 300.215(b). Additional Facility shall include only those designated as such by the governor or the State Emergency Response Commission.

001.02 Commission – Commission shall mean the State Emergency Response Commission (SERC).

001.03 Committee – Committee shall mean the Local Emergency Planning Committee (LEPC).

001.04 Environment – Environment shall mean the water, air, and land and the interrelationship which exists among and between water, air, and land and all living things.

001.05 Hazardous Chemical – Hazardous Chemical is a material that exhibits or possesses any of the 26 hazard criteria listed by the Occupational Safety and Health Administration (OSHA) in 29 CFR 1910.1200. Appendices A and B.

001.06 Operator – Operator is the person responsible for the overall operation of an additional facility.

001.07 Owner – Owner shall mean the person who owns all or part of an additional facility.

001.08 Person – Person means any individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, or interstate body.

001.09 Portable Fertilizer Manufacturing Plant – Shall mean a portable unit of equipment and machinery used in the manufacture of or processing of any grade of liquid fertilizer by combining NH_3 with any reagent of other chemical, and which has NH_3 present in volume equal to or greater than 500 lbs.